

## REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 19-57 are presently active in this case, Claims 1-18 having been canceled and Claims 19-57 having been added by way of the present Amendment. The Applicants submit that all of the amendments are supported by the original disclosure.

In the outstanding Official Action, the abstract of the disclosure was objected to because of minor informalities. Accordingly, a substitute Abstract of the Disclosure has been added in place of the original abstract. Accordingly, the Applicants request the withdrawal of the objection to the abstract.

Claims 1-18 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specific grounds for rejection are recited in paragraph 4, on pages 3-5. Claims 1-18 have been canceled and new Claims 19-57 have been added. The new claims have been written in a manner so as to avoid the use of unclear language specified in paragraph 4 of the Official Action. The Applicants submit that the newly added claims are definite under 35 U.S.C. 112, second paragraph, and therefore the Applicants request the withdrawal of the indefiniteness rejections.

Claims 1-18 were rejected under 35 U.S.C. 102(b) as being anticipated by Minicozzi (U.S. Patent No. 5,586,843). For the reasons discussed below, the Applicants request the withdrawal of the anticipatory rejection.

The general subject matter of original Claim 1 has been rewritten as Claim 19, which recites a tip comprising a first edge corner having a corner angle of 90° or less, and an opposite second edge corner defined by at least one opposite cutting edge that is not parallel

to a cutting edge of the first edge corner. The tip is recited as being formed of an approximately quadrilateral-shaped plate. The Minicozzi reference does not disclose all of the limitations recited in Claim 19.

The Minicozzi reference describes an indexable cutting insert for rotary cutting tools. The cutting insert includes teeth including a six sided block having two major parallel rhomboid-shaped plane surfaces constituting a seating face and a clearance face, two opposed minor side surfaces, and two minor parallel plane end faces. The Minicozzi reference depicts two edge corners that are less than  $90^\circ$ , however the cutting edges that define the two edge corners are parallel to their respective opposite cutting edges. For example, cutting edges 32 are depicted as being substantially parallel to one another. In fact, the teeth are described as having two major rhomboid-shaped plane surfaces, and a rhomboid is a type of parallelogram. The Minicozzi reference does not disclose or suggest opposing cutting edges that are in a non-parallel-orientation. Accordingly, the Minicozzi reference does not anticipate Claim 19, which recites, among other features, a tip comprising a first edge corner having a corner angle of  $90^\circ$  or less, and an opposite second edge corner defined by at least one opposite cutting edge that is not parallel to a cutting edge of the first edge corner.

The Applicants submit that independent Claims 32, 41, and 42 are allowable over the Minicozzi reference for the reasons indicated for Claim 19. Claims 20-31 and 33-40 are considered allowable for the reasons advanced for Claims 19 and 32 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claims 19 and 32.

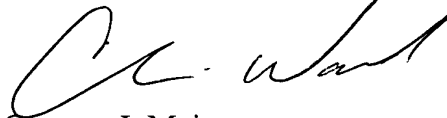
Similarly, newly added Claims 43-57 are considered allowable as they recite features of the invention that are neither disclosed, taught, nor suggested by the references of record.

Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejection.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Christopher D. Ward  
Registration No. 41,367



**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/00)

GJM/CDW/brf  
I:\atty\cdw\0834\0275.am1.wpd